

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

(NORTHERN DIVISION - RENO)

MARIA HUYNH,

Plaintiff,

vs.

FIRST NATIONAL BANK OF NEVADA, A
NATIONAL BANKING ASSOCIATION,
LORI WRIGHT, individually; BRIGITTE
AMOUREUX, individually; MERSCORP,
INC., a Virginia corporation, MORTGAGE
ELECTRONIC REGISTRATION SYSTEM,
INC., a subsidiary of MERSCORP., INC., a
Delaware corporation, [MERS]; and DOES 1-
25 CORPORATIONS, DOES and ROES 1-25
Individuals, [Partnerships, or anyone claiming
any interest to the property described in the
action],

Defendants.

Case No. 3:09-cv-577-RCJ-VPC

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO ANSWER OR
OTHERWISE RESPOND TO
COMPLAINT**

(SECOND REQUEST)

1 **I. INTRODUCTION**

2 Plaintiff Maria Huynh and Defendants MERSCORP, Inc. and Mortgage Electronic
3 Registration Systems, Inc. (together, "MERS") enter into this stipulation for an enlargement of
4 time for MERS to respond to the Complaint for the following reasons:

5 Plaintiff has requested that this case be stayed pending resolution of its Motion to
6 Remand (Doc. # 8). No defendants opposed the stay. Further, as stated in Plaintiff's and MERS'
7 Notice of Related Cases, this case is one of several related cases pending in the District of
8 Nevada. *See* Doc. ## 6, 13. MERS has requested that three related cases be transferred to Judge
9 Jones (Doc. # 13) and has, additionally, filed a Notice of Tag-Along Actions before the Judicial
10 Panel on Multidistrict Litigation ("the MDL Panel") requesting that the MDL Panel consider this
11 action, as well as several other similar actions, as part of a group of cases subject to transfer and
12 consolidation. *See* Doc. # 18.

13 None of the motions, including Plaintiff's Motion to Remand (Doc. # 3),
14 Plaintiff's Motion to Stay (Doc. # 8), MERS' Request to Transfer (Doc. # 13), nor MERS'
15 Section 1407 motion to transfer and consolidate certain cases have been resolved. Therefore, the
16 procedural future of this case is unclear. An enlargement of time for MERS to respond to the
17 Complaint until the questions of whether this case will be remanded, transferred, and/or
18 consolidated are resolved would promote efficiency and economy by conserving the resources of
19 the parties, this Court, several of this Court's district and magistrate judges, the state courts from
20 which these cases were removed, and the MDL Panel. Accordingly, Plaintiff and MERS enter
21 into the following stipulation and request that the Court endorse the below order.

22 **II. STIPULATION**

23 Comes now, Plaintiff, MARIA HUYNH by and through her undersigned counsel
24 of record, the Law Office of Rick Lawton, and Defendants MERSCORP, Inc. and Mortgage
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26 of record, the Law Office of Rick Lawton, and Defendants MERSCORP, Inc. and Mortgage
27 of record, the Law Office of Rick Lawton, and Defendants MERSCORP, Inc. and Mortgage
28 of record, the Law Office of Rick Lawton, and Defendants MERSCORP, Inc. and Mortgage

Electronic Registration Systems, Inc., by and through their counsel of record, Snell & Wilmer, and in accordance with LR 7-1, and hereby stipulate that Defendants MERSCORP, Inc. and Mortgage Electronic Registration Systems, Inc. shall have up to and including **60 days** from entry of this order to answer or otherwise respond to the complaint in the above-captioned matter or **10 days** from the resolution of Plaintiff's Motion to Remand to State Court (Doc. # 3) and the Judicial Panel on Multidistrict Litigation's determination as to whether this case will be transferred to the MDL (see Doc. # 17) should these events occur before the expiration of the 60-day period.

Respectfully submitted, dated this 5th day of November, 2009.

/s/ Rick Lawton
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*Attorneys for Defendants MERSCORP, Inc. and
Mortgage Electronic Registration Systems, Inc.*

ORDER

IT IS SO ORDERED.

DATED: November 12, 2009.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE